

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference T 45383WO/70/hs	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/DE2004/001367	International filing date (day/month/year) 30.06.2004	Priority date (day/month/year) 02.07.2003
International Patent Classification (IPC) or national classification and IPC B60N2/28, B60N2/26		
Applicant CONCORD GMBH		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>1</u> sheets, as follows: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/DE2004/001367

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- international search (Rule 12.3 and 23.1(b))
- publication of the international application (Rule 12.4)
- international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished
 the description:

pages 1-7 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

the claims:

nos. 2-7 as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1 received by this Authority on 29.04.2005 with letter

nos.* _____ received by this Authority on of 29.04.2005

the drawings:

sheets 1/3-3/3 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/DE2004/001367

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-7	YES
	Claims	_____	NO
Inventive step (IS)	Claims	1-7	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims	_____	NO

2. Citations and explanations (Rule 70.7)

1. This report refers to the following document:

D1: DE 42 04 228 A (WUERSTL CURT VERMOEGENSVERWALT),
19 August 1993 (1993-08-19)

2. Independent claim 1

Document D1, which is considered to be the closest prior art, discloses the following:

A child seat with a seat shell (3, 5) (column 3, line 40) that can be adjusted back and forth between various positions on a base element (1), the front edge (see figure 1) of the seat shell (3, 5) being provided with an actuating handle (8) (column 3, lines 60 to 64) which is connected to a locking device (8, 13), by means of which the seat shell (3, 5) is held in one of the various positions in relation to the base element (1) when the actuating handle (8) is in its normal unactuated condition, and can be adjusted by actuating the actuating handle (8); the actuating handle (8) is pivotable about a pivot

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axis (7) from the normal locked position into an unlocked position and from there back into the locked position by means of a return spring device (see claim 5), and in the unlocked position forms an adjustment handle for adjusting the seat shell (3, 5) in relation to the base element (1), the base element (1) being provided with a slider arrangement (2a, 2b) that has at least one slider track (2a, 2b).

The subject matter of independent claim 1 differs in that:

the actuating handle (26) is a pivot handle (28) which can pivot from the normal locked position into an unlocked position about a pivot axis (7) which is at least approximately parallel to the front edge of the seat shell (14),

and in that the slider track (24) has detent slots (38, 40, 42) for the various positions of the seat shell (14) in relation to the base element (12), and the locking device (36) has a connecting device (34) connected to the pivot handle (28) with at least one guide element (44) that is guided along the at least one slider track (24) and with at least one detent element (46) designed to engage the detent slots (38, 40, 42).

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITYInternational application No.
PCT/DE2004/001367Box No. V **Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

- 2.1 The problem addressed by the present invention can thus be seen as that of making the seat adjustment system easier to operate.
- 2.2 The solution proposed in claim 1 of the application involves an inventive step (PCT Article 33(3)) for the following reasons:

The actuating handle is a pivot handle, which is easier to use because it moves together with the seat shell and is therefore always accessible, and because the connecting device reduces the amount of manual force needed to actuate the device. The claimed solution is not obvious from the prior art.

3. Dependent claims 2 to 7

Claims 2 to 7 are dependent on claim 1 and therefore also meet the PCT requirements in respect of novelty and inventive step.